

Serial No.: 10/504,394
Docket No.: 09792909-5972
Amendment dated December 21, 2007
Reply to the Office Action of July 26, 2007

REMARKS

A. Introduction

Claims 1-26 are pending and under consideration in the application.

In the Office Action of July 26, 2007 ("the Office Action") claims 1-18, and 25 were rejected as indefinite, claims 1-3, 6-23, and 25 were rejected as anticipated, and claims 24 and 26 was rejected as obvious. No prior art rejections were applied against claims 4 and 5.

In response, claims have been slightly amended to overcome the indefinite rejections. No new matter is presented. The anticipation and obviousness rejections are traversed.

B. Rejection under 35 USC §102(b)

Claims 1-3 and 6-23, and 25 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,569,713 to Lieberman ("Lieberman"). The rejections are traversed.

The Examiner states that "Lieberman discloses polymer recycling methods and apparatuses suitable for recycling and rejuvenating post-consumer plastic materials comprising a variety of polymers includes ABS, SAN (AS), polycarbonate, polystyrene etc. and mixtures thereof (abstract and column 5, lines 10-54)." See the Office Action, page 3. The Examiner goes on to state "[t]he methods are disclosed as comprising sorting, particulating, testing, addition of rejuvenating agents, extruding (melting), testing and certifying (column 5, lines 3-9 and Fig. 1). *Id.* However, Lieberman does not disclose all of the limitations recited within the claims. For instance, Lieberman does not describe tracking history of a plastic. As such, Lieberman fails to teach or suggest, *inter alia*, "indicator which indicates to said reclaimed plastic revived said measured property as recycle history information," as recited in independent claim 1.

Accordingly, because Lieberman does not teach or suggest all of the limitations set forth in independent claim 1, independent claim 1 is patentably distinguishable over Lieberman, and withdrawal of this rejection and allowance of this claim are respectfully solicited. Likewise, claims 2-18, which depend from independent claim 1, and thus include all of the limitations of

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independent claim 1, are also patentable over Lieberman. In addition, at least claim 6 is patentable over Lieberman for its own limitations, as well as for depending from claim 1.

Lieberman does not describe any process for handling resins containing an antistatic agent. As such, Lieberman fails to teach or suggest, Lieberman fails to disclose, *inter alia*, “a separator to separate a resin containing an antistatic agent,” as recited in claim 6.

Accordingly, because Lieberman does not teach or suggest all of the limitations set forth in claim 6, claim 6 is patentably distinguishable over Lieberman, and withdrawal of this rejection and allowance of this claim are respectfully solicited.

C. Rejection under 35 USC §103

Claims 24 and 26 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lieberman.

While the Examiner recognizes that Lieberman fails to disclose “recycling of ABS/AS blends or the production of magnetic recording products,” the Examiner states that “[i]t is the position of the Examiner that the disclosures of the reference of such broad varieties of polymers and mixtures of polymers along with the breadth of post-consumer products suitable for remanufacture renders obvious the limitations of claims 24 and 26.” See the Office Action, page 4. However, the Examiner provides no reasoning as to why one would be motivated to modify Lieberman to accommodate ABS-AS resin or magnetic recording products, as recited in claims 24 and 26. Claims 24 and 26 are further allowable based on their respective dependence to claims 23 and 25, which recite “an indicator which indicates to said reclaimed plastic revived said measured property as recycle history information.”

Lieberman is limited to rejuvenating plastic materials and permitting painted plastics to be recycled. See column 2, lines 45-58. In contrast, the present general inventive concept discloses, *inter alia*, a recycling system to allow tracking history of a plastic thereby permitting optimal material selection based on application or “conditions required for reuse, such as molding conditions.” See Specification, page 29, lines 1-30.

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Because Lieberman does not teach or suggest, among other things, tracking history, Lieberman cannot anticipate independent claims 23 and 25, which recite "an indicator which indicates to said reclaimed plastic revived said measured property as recycle history information."

Accordingly, because Lieberman does not teach or suggest all of the limitations recited in claims 23-26, and the Examiner has not provided any motivation to modify Lieberman, the rejections of these claims are improper, and withdrawal of these rejections and allowance of these claims are earnestly solicited.

D. Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 19-3140.

Respectfully submitted,
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